

STATE OF TENNESSEE
ex rel. LESLIE A. NEWMAN,
COMMISSIONER
OF COMMERCE AND INSURANCE,
STATE OF TENNESSEE,

VS.

Respondent.

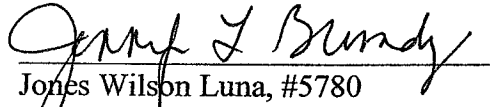
No: 99-917-II

FILED
2008 MAY -2 AM 10:50
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.
D.C. & M.

On Friday morning, May 2, 2008, it was brought to the Liquidation's attention by one of the members of the Tennessee Hospital Association that Exhibit 2 contained the old XHT fax number instead of the new fax number. The correct fax number for the XHT Liquidation is **(615) 297-9317**. As of Friday morning, Lisa Jordan, Assistant Commissioner for the TennCare Oversight Division ("Division") of the Tennessee Department of Commerce and Insurance ("Department"), has notified by email the Tennessee Hospital Association ("THA"), Tennessee Medical Association ("TMA"), and the Hospital Alliance of Tennessee ("Hospital Alliance") the correct fax number, **(615) 297-9317**. The correct fax number has been posted on the Department's website. The corrected Exhibit

2 is also being posted on the Department's website. Additionally, Ms. Jordan has notified the TMA, THA, and Hospital Alliance that their members may call Judy Haggard at (615) 741-2677 to confirm that their facsimiles have been received by the Liquidation. Ms. Haggard is checking the Liquidation fax everyday and is maintaining a database of all received W9 forms.

Respectfully submitted,

By: 
Jones Wilson Luna, #5780
Jennifer Brundige, #20673
FARMER & LUNA, PLLC
333 Union Street, Suite 300
Nashville, Tennessee 37201
(615) 254-9146
Special Counsel for Commissioner Newman

CERTIFICATE OF SERVICE

I certify that a true and exact copy of the foregoing has been mailed, first-class, postage prepaid, on this 2nd day of May, 2008, to the following:

Attorneys for Xantus Corporation

Harlan Dodson III, Esq.
306 Gay Street, Suite 400
P.O. Box 198806
Nashville, Tennessee 37219-8806

Joseph F. Welborn, III
Walker, Bryant, Tipps & Malone
2300 One Nashville Place
150 Fourth Avenue North
Nashville, Tennessee 37219-2424

Attorneys for Other Interested Parties

Robert C. Goodrich, Jr., Esq.
SunTrust Plaza
401 Commerce Street, Suite 800
Nashville, Tennessee 37219

G. Gordon Bonnyman, Jr., Esq.
Tennessee Justice Center
301 Charlotte Avenue
Nashville, Tennessee 37201-1101

Mary Jo Price, Esq.
Vanderbilt University, General Counsel
2100 West End Avenue, Suite 750
Nashville, Tennessee 37203

Thomas J. Catliota, Esq.
Andrew J. Love, Esq.
Shaw Pittman
2300 N Street, N.W.
Washington, D.C. 20037

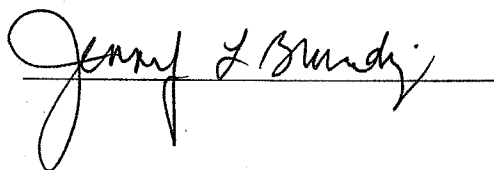
Darrell L. West, Esq.
144 Second Avenue, North
Suite 300
Nashville, Tennessee 37201

Blakeley D. Matthews, Esq.
511 Union Street, Suite 1500
P.O. Box 190695
Nashville, Tennessee 37219

Sarah Hiestand, Esq.
State of Tennessee
Office of the Attorney General, Financial Division
P.O. Box 20207
Nashville, Tennessee 37202-0270

Martha Staley Nichols, Esq.
General Counsel
Department of Finance & Administration
312 Eighth Avenue, North
Suite 2100 Tennessee Tower
Nashville, Tennessee 37243-0293

Betty Boner, Esq.
General Counsel
Bureau of TennCare
310 Great Circle Road
Nashville, Tennessee 37243



REVISED INSTRUCTIONS FOR XHT FINAL DISTRIBUTION SCHEDULE EXHIBIT 1

- **ADDRESS CHANGE** – Please review the information in Exhibit 1 for your address in the mailing of the final distribution check. If your address is different, please fax an IRS Form W9 to us at (615) 297-9317 no later than May 23, 2008. Please reference on the W9 the Control numbers from column 1 of Exhibit 1. In instances where you have multiple Control numbers, only one W9 is needed. Be sure to list all Control numbers associated with the W9.
- **FEDERAL INCOME TAX WITHHOLDING AT 28%** - Please review the information in Exhibit 1 to see whether income taxes will be withheld. If there is an amount in the column identified as "Income Tax Withholding at 28%", the IRS has notified us that the tax ID shown on your originally filed claim does not match with the name they have on record. In order to avoid the 28% withholding, we will need an IRS Form W9 faxed to us at (615) 297-9317 no later than May 23, 2008. Please reference on the W9 the Control numbers from column 1 of Exhibit 1. In instances where you have multiple Control numbers, only one W9 is needed. Be sure to list all Control numbers associated with the W9.

If you have moved and your address is different from Exhibit 1, **and** Exhibit 1 indicates a withholding of income tax, only one W9 is required to be faxed to us at (615) 297-9317 no later than May 23, 2008. Be sure to list all Control numbers associated with the W9.

If your address is correct on Exhibit 1 and there is not income tax withholding on Exhibit 1 for your Control number, then no further action is required on your part.

It is imperative that any W9 faxed to us clearly and boldly identify all Control number(s) to which it relates. Form W9's received with no reference to a Control number(s) will not be processed and we will not attempt to contact the provider. Failure to include a Control number(s) on a W9 could result in a later delivery of the final distribution check by the US Post Office (if a forwarding order exists) and income taxes being withheld. Once the final distribution check is issued, we will not be able to refund any income tax withheld since we are required to pay the taxes immediately into the IRS.

Any final distribution check returned to us as undeliverable will be deposited with the State Treasurer as unclaimed funds pursuant to the provisions of Tenn. Code Ann. Section 56-9-333.

Please check the website at

<http://state.tn.us/commerce/tenncare/liquidations/xantus/index.html>

for copies of the court filings regarding the final distribution.

EXHIBIT

tabbles

2 (renew)